

## **Further Additional Continuing Appropriations Act, 2022**

[Public Law 117–86]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 117–86. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT Making further continuing appropriations for the fiscal year ending September 30, 2022, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Further Additional Extending Government Funding Act”.

### **SEC. 2. TABLE OF CONTENTS.**

The table of contents of this Act is as follows:

- Sec. 1. Short Title.
- Sec. 2. Table of Contents.
- Sec. 3. References.

DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT,  
2022

DIVISION B—EXTENSIONS

TITLE I—EXTENSIONS

TITLE II—BUDGETARY EFFECTS

### **SEC. 3. REFERENCES.**

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

## DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2022

### SEC. 101.

The Continuing Appropriations Act, 2022 (division A of Public Law 117-43) is further amended—

(1) by striking the date specified in section 106(3) and inserting “March 11, 2022”;

(2) in section 163, by striking “\$200,000,000” and inserting “\$300,000,000”; and

(3) by adding after section 163 the following new sections:

### “SEC. 164.

“Notwithstanding sections 102 and 104, amounts made available by section 101 to the Department of Defense for ‘Shipbuilding and Conversion, Navy’ may be apportioned up to the rate for operations necessary for ‘Columbia Class Submarine (AP)’ in an amount not to exceed \$1,601,805,000.

“SEC. 165. (a) **Notwithstanding sections 101 and 106 of this Act, for the duration of fiscal year 2022, amounts made available in fiscal year 2022 to the Department of Defense under the heading ‘Operation and Maintenance’**, other than amounts designated by the Congress as being for an emergency requirement pursuant to section 4001(a)(1) and section 4001(b) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, may be used for emergencies and extraordinary expenses, in addition to any other funds specifically made available for such expenses, for purposes the Secretary of Defense or the Secretary of the Navy, as appropriate, determines to be proper with regard to the response to the disruption of the water supply near the Red Hill Bulk Fuel Storage Facility, on O’ahu, Hawaii, in accordance with 10 U.S.C. 127, in an amount not to exceed \$53,000,000: *Provided*, That not later than 30 days after the date of enactment of the Further Additional Continuing Appropriations Act, 2022 and every 30 days thereafter through fiscal year 2022, the Secretary of Defense shall submit a report to the Committees on Appropriations of the House of Representatives and Senate, setting forth all categories and amounts of obligations and expenditures made under the authority provided by this subsection.

“(b) In addition to amounts otherwise provided by this Act, there is appropriated to the Department of Defense \$250,000,000, for an additional amount for fiscal year 2022, for necessary expenses to address drinking water contamination at the Red Hill Bulk Fuel Storage Facility in Hawaii, for the accounts and in the amounts specified:““ ‘Military Personnel, Army’, \$33,263,000, to remain available until September 30, 2022;““ ‘Military Personnel, Navy’, \$91,327,000, to remain available until September 30, 2022;““ ‘Military Personnel, Marine Corps’, \$5,206,000, to remain available until September 30, 2022;““ ‘Military Personnel, Air Force’, \$27,564,000, to remain available until September 30, 2022;““ ‘Operation and Maintenance, Army’, \$22,640,000, to remain available until September 30, 2022; and““ ‘Operation and Maintenance, Navy’, \$70,000,000, to remain available until September 30, 2022.”

“(c) In addition to amounts otherwise provided by this Act, there is appropriated to the Department of Defense \$100,000,000, for an additional amount for fiscal year 2022, to remain available

until expended, for transfer only to accounts under the headings ‘Operation and Maintenance’, ‘Procurement’, ‘Research, Development, Test and Evaluation’, and ‘Defense Working Capital Funds’, for the Secretary of Defense to conduct activities in compliance with the State of Hawaii Department of Health Order 21-UST-EA-02, signed December 6, 2021, related to the removal of fuel from and improvement of infrastructure at the Red Hill Bulk Fuel Storage Facility: *Provided*, That the transfer authority provided in this subsection is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That amounts provided in this subsection shall not be available for transfer, obligation, or expenditure until the Secretary of Defense briefs the Committees on Appropriations of the House of Representatives and Senate regarding the recommendations of the third-party assessment of the operations and system integrity of the Red Hill facility and the Department’s own analysis regarding the distribution of fuel reserves for operations in the Pacific theater, as well as other activities recommended by the third-party assessment or Departmental analysis: *Provided further*, That not less than 15 days prior to any transfer of funds pursuant to this subsection, the Secretary of Defense shall notify the congressional defense committees of the details of any such transfer: *Provided further*, That not later than 60 days after the date of enactment of the Further Additional Continuing Appropriations Act, 2022 and every 30 days thereafter through fiscal year 2023, the Secretary of Defense shall submit a report to the Committees on Appropriations of the House of Representatives and Senate, setting forth all categories and amounts of obligations and expenditures made under the authority provided by this subsection.

**“SEC. 166.**

“Amounts made available by section 101 to the Department of the Interior under the heading ‘**Working Capital Fund**’ may be apportioned up to the rate for operations necessary to implement enterprise cybersecurity safeguards.”.

This division may be cited as the “Further Additional Continuing Appropriations Act, 2022”.

## **DIVISION B—EXTENSIONS**

### **TITLE I—EXTENSIONS**

**SEC. 1101. EXTENSION OF AUTHORITY TO MAKE CERTAIN APPOINTMENTS FOR NATIONAL DISASTER MEDICAL SYSTEM.**

Section 2812(c)(4)(B) of the Public Health Service Act (42 U.S.C. 300hh-11(c)(4)(B)) is amended by striking “February 18, 2022” and inserting “March 11, 2022”.

**SEC. 1102. EXTENSION OF ADDITIONAL SPECIAL ASSESSMENT.**

Section 3014(a) of title 18, United States Code, is amended by striking “February 18, 2022” and inserting “March 11, 2022”.

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**SEC. 1103. EXTENSION OF TEMPORARY ORDER FOR FENTANYL-RELATED SUBSTANCES.**

Effective as if included in the enactment of the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act (Public Law 116-114), section 2 of such Act (as amended by Public Law 117-70) is amended by striking “February 18, 2022” and inserting “March 11, 2022”.

**SEC. 1104. EXTENDING INCREASED FMAP FOR CERTAIN TERRITORIES.**

(a) **IN GENERAL.**—Section 1905(ff)(3) of the Social Security Act (42 U.S.C. 1396d(ff)(3)) is amended by striking “February 18, 2022” and inserting “March 11, 2022”.

(b) **REDUCTION OF MEDICARE IMPROVEMENT FUND.**—Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking “\$101,000,000” and inserting “\$99,000,000”.

## **TITLE II—BUDGETARY EFFECTS**

**SEC. 1201. BUDGETARY EFFECTS.**

(a) **STATUTORY PAYGO SCORECARDS.**—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) **SENATE PAYGO SCORECARDS.**—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) **CLASSIFICATION OF BUDGETARY EFFECTS.**—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

- (1) for purposes of section 251 of such Act;
- (2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and
- (3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.